

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY DOCKET NUMBER <b>IN-5552</b>	U.S. APPLICATION NO. (IF KNOWN SEE 37 RR 15) <b>10/069188</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/EP00/08032</b>	INTERNATIONAL FILING DATE <b>17. August 2000 (17.08.2000)</b>	PRIORITY DATE CLAIMED <b>27 August 1999 (27.09.1999)</b>

TITLE OF INVENTION: Manuela ARMBRUST, Wolfgang BREMSER, Horst HINTZE-BRÜNING, Wilfried STÜBBE, Peter BETZ and Christel EHLIG

APPLICATION(S) FOR DO/EO/US: SOL-GEL COATING

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371 (b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ are transmitted herewith (required only if not transmittal by the International Bureau).
  - b. ☒ have been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(C)(2)).
7. ☒ Amendment to the claims of the International Application under PCT Article 19 (35 U.S.C.371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annex to the International Preliminary Examination Report under PCT Article 36

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included
13. ☒ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A Change of power of attorney and/or address letter.
16. ☒ Other items or information:

A copy of the cover sheet from the PCT Published Application  
A copy of the cover sheet for the Priority Document

I hereby certify that the attached correspondence is being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" Mailing Label No. EU 171 212 641 US addressed to the Commissioner for Patents, Washington, D.C. 20231 on February 21, 2002.

  
Marjorie Ellis

U.S. APPLICATION NO. (If known see 37 C.F.R. 1.50) <b>10/069188</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP00/08031</b>		ATTORNEY'S DOCKET NUMBER <b>IN-5551</b>	
17. <input checked="" type="checkbox"/> The following fees are submitted				<b>CALCULATIONS</b>   PTO USE ONLY	
<b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) Nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....				<b>\$970.00</b>	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....				<b>\$860.00</b>	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.44(a)(2)) paid to USPTO.....				<b>\$690.00</b>	
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4).....				<b>\$670.00</b>	
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....				<b>\$ 96.00</b>	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>\$890.00</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<b>\$</b>	
Claims	Number Filed	Number Extra	Rate		
Total Claims	25 - 20 =	05	X \$18.00	<b>\$ 90.00</b>	
Independent claims	01 - 03 =	0	X \$84.00	<b>\$</b>	
Multiple dependent claims(s) (if applicable)			+ \$280.00	<b>\$ 280.00</b>	
<b>TOTAL OF ABOVE CALCULATION =</b>				<b>\$1,260.00</b>	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				<b>\$</b>	
<b>SUBTOTAL =</b>				<b>\$1,260.00</b>	
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<b>\$</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$1,260.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 per property</b> +				<b>\$ 40.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$1,300.00</b>	
				<b>Amount to be: refunded</b>	
				<b>Charged</b>	
				<b>\$1,300.00</b>	


a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 23-3425 in the amount of \$1,300.00 to cover the above fees  
A triplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 23-3425. A triplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

**SEND ALL CORRESPONDENCE TO:**  
**BASF CORPORATION**  
**Patent Department**  
**26701 Telegraph Road**  
**Southfield, Michigan 48034-2442**  
**(248) 948-2020**  
**Customer No. 26922**

  
 SIGNATURE  
 Mary E. Golota  
 Name  
 36,814  
 REGISTRATION NUMBER

PATENT

(Practitioner's Docket No. IN-5552)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Manuela ARMBRUST, Wolfgang  
BREMSE, Horst HINTZE-BRÜNING,  
Wilfried STÜBBE, Peter BETZ and  
Christel EHLIGSerial No.: This application is a National  
Phase of Patent Application  
PCT/EP00/08032 filed 17 August 2000.

Filed: Thursday, February 21, 2002

For: SOL-GEL COATING  
Commissioner of Patents  
Washington, D.C. 20231

Group Art Unit: Not Assigned

Examiner: Not Assigned

EXPRESS MAIL CERTIFICATE"Express Mail" label number EU171 212 641US

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☒ Cover page of Published PCT-application Page(s)

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Marjorie Ellis

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☐ 02 Page(s)

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Group Art Unit: Not Assigned

Examiner: Not Assigned

EXPRESS MAIL CERTIFICATE

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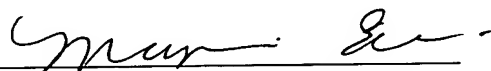
English Application PCT/EP00/08032

Specification on	<u>64</u>	pages;	claims on	<u>08</u>	pages;
the abstract on	<u>01</u>	page(s);	drawings on		page(s).

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Group Art Unit: Not Assigned

Examiner: Not Assigned

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☒ Combined Declaration and Power of Attorney☐ 06 Page(s)

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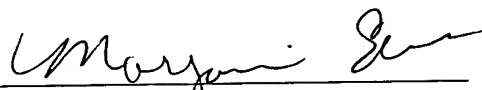
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☒ German Application PCT/EP00/08032  
Specification on  pages; claims on  pages;  
the abstract on  page(s); drawings on  page(s).

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Filed: Thursday, February 21, 2002

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Commissioner of Patents  
Washington, D.C. 20231

Group Art Unit: Not Assigned

Examiner: Not Assigned

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<input checked="" type="checkbox"/>	Information Disclosure Statement
<input checked="" type="checkbox"/>	From PTO-1449
<input checked="" type="checkbox"/>	Cited References
<input checked="" type="checkbox"/>	International Search Report

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(Typed or printed name of person mailing paper or fee)



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Manuela ARMBRUST, et al.

Serial No.: This application is a National  
Phase of Patent Application  
PCT/EP00/08032 filed 17 August 2000.

Group Art Unit: Not Assigned

Filed: Thursday, February 21, 2002

Examiner: Not Assigned

For: SOL-GEL COATING

Patent\*: Issue Date

Reexamination No.: Issue Date

Reissue: Issue Date

\*NOTE: Insert name(s) of inventor(s) and title for patent.

Assistant Commissioner for Patents  
Washington, D.C. 20.231

STATEMENT UNDER 37 C.F.R. § 3.73(b)-  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10\*

☐ with sufficient postage as first class mail.

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☐ transmitted by facsimile to the Patent and Trademark Office.

Date: February 21, 2002

  
Signature

Marjorie Ellis

(type or print name of person certifying)

(Statement under 37 C.F.R. § 3.73(b) - Establishing Right of Assignee to Take Action [16-16]-page1)

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

**IDENTIFICATION OF ASSIGNEE**

BASF COATINGS AG

2. \_\_\_\_\_  
Name of assignee  
CORPORATION

\_\_\_\_\_  
Type of assignee, e.g., corporation, partnership, university, government agency, etc.

**PERSON(s) AUTHORIZED TO SIGN**

3. Mary E. Golota  
(type name of person authorized to sign on behalf of assignee)  
Senior Attorney  
Title of person authorized to sign

(complete the following, if applicable)

☒ I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.

**BASIS OF ASSIGNEE'S INTEREST**

Ownership by the assignee is established as follows:

A.

1. ☐ An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO at

Reel \_\_\_\_\_, Frame \_\_\_\_\_.

2. ☒ An assignment (document) separately being submitted for recordal herewith.

**AND/OR**

B.

1. ☐ A chain of title from the inventor(s) to the current assignee as shown below:

1. From: \_\_\_\_\_

Name of inventor(s)

To: \_\_\_\_\_

Recorded in PTO:

Reel \_\_\_\_\_ Frame \_\_\_\_\_

(check item below, and add details, if applicable)

☐ Additional documents in the chain of title are listed in the attached Supplemental Sheet.

**COPIES OF DOCUMENTS IN CHAIN OF TITLE**

(complete this item, if copies are being sent)

☐ Copies of the assignment(s) or other document(s) in the chain of title are attached as follows:

☐ A

☐ 1

☐ 2

☐ B

☐ 1.

☐ 2

☐ 3.

Reg. No.: 36,814

  
SIGNATURE OF ATTORNEY

Mary E. Golota

Type or print name of attorney

Tel. No.: ( 248 ) 948-2020

**BASF Corporation**  
**26701 Telegraph Road**

P.O. Address

Southfield, Michigan 48034-2442

Customer No. 26922